

Appl. No. : 277,335
Filed : March 26, 1999

information assigned to and associated with said host computing logic, wherein said information is stored in a non-erasable memory in said computer system.

8. (Amended) The method of Claim 7, wherein said information is ~~substantially~~ permanently associated with said host computing logic.

Please add new Claims 13 and 14 as follows:

13. The method of Claim 1, wherein encrypting data for storage is performed on an encrypting device that is positioned in a datapath between a central processing unit and the data storage medium.

14. The method of Claim 1, wherein all data that is transmitted to the data storage media is encrypted.

REMARKS

In response to the Office Action, Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

The specific changes to the amended claims are shown on a separate set of pages hereto and entitled VERSION WITH MARKINGS TO SHOW CHANGES MADE, which follows the signature page of this Amendment. On this set of pages the insertions are underlined while the deletions are stricken through.

Discussion of Objection to the Specification

In the Office Action, the Examiner objected to the specification for certain informalities. Applicant respectfully submits that these have been corrected by the above-amendments.

Discussion of Claim Rejection Under 35 U.S.C. § 112, 2nd Paragraph

In the Office Action, the Examiner rejected Claim 8 as being unpatentable for failing to particularly point out and distinctly claim the subject matter of the invention. The Examiner stated that the term "substantially" is indefinite. Applicant respectfully submits that the term "substantially" has been deleted from the claim. Since this was the sole basis of rejection for this claim, Applicant respectfully submits that Claim 8 is in condition for immediate allowance.

Discussion of Rejection of Claim Rejections Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected Claims 1-4, and 7-12 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,864,616 to Pond, et al.

One embodiment of applicant's invention is directed to a system for providing security on a computer disk drive. In this embodiment, a computer includes a identification code that is associated with the compute. The identification code is stored in a *non-erasable memory*, such as ROM or EPROM. Preferably, each of identification code is substantially unique to that computer. The code may be stored in the computer prior to purchase by the user. In one embodiment, the computer automatically and transparently to the user encrypts data that is sent to a data storage medium using the identification code.

In particular. Claim 1 recites: "retrieving an identification code from a *non-erasable* memory location in said personal computer." Independent Claim 5 recites: "storing a hardware identifier in a *non-erasable* memory integrated circuit." Independent Claim 7 recites: "wherein said information is stored in a *non-erasable* memory in said computer system."

Pond is directed to a system of cryptographically labeling electronically stored data. However, in Pond, there is no motivation or suggestion to store a machine identifier in a non-erasable memory location. Pond merely describes that "[d]uring installing of a PC security system, a machine identifier ("MID") may be assigned to the individual PC". See Pond, col. 3, lines 11-12. There is no teaching or suggestion in Pond that the machine identifier should be stored (in a non-erasable memory). Applicant respectfully submits that storing the machine identifier in a non-erasable memory provides enhanced security. Since the machine identifier is non-erasable, it would be difficult for a user to modify their machine identifier so as to read the data of others.

In the Office Action, the Examiner stated that the use of non-volatile memory was known in the art prior to applicant's filing date. The Examiner took the position that there would be motivation to modify Pond to use non-volatile memory, e.g., a magnets-optical disc, so as to be able to update the identifier. Applicant has amended the claims to recite that the machine identifier is stored in a non-erasable memory location. It would be undesirable to modify the machine identifier of a computer once it was assigned. In one embodiment, the machine

identifiers are substantially unique. Modifying the machine identifier would provide a security risk. Furthermore, modification of the machine identifier could allow it to be inadvertently overwritten, thereby possibly preventing the user from accessing data that had been encrypted using the machine identifier. Applicant respectfully submits that the Examiner has failed to identify sufficient motivation in the prior art to derive the claimed invention.

Since Claims 2-4, 6, 8 and 9-12 each depend on one of Claims 1, 5, and 7, Applicant respectfully submits that the Claims are allowable for at least the reasons previously discussed.

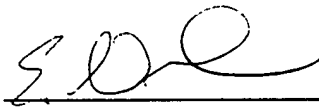
Summary

Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. Accordingly, amendments to the claims for patentability purposes, the reasons therefore, and arguments in support of the patentability of the pending claim set are presented above. Any claim amendments which are not specifically discussed in the above remarks are not made for patentability purposes, and the claims would satisfy the statutory requirements for patentability without the entry of such amendments. In addition, such amendments do not narrow the scope of the claims. Rather, these amendments have only been made to increase claim readability, to improve grammar, and to reduce the time and effort required of those in the art to clearly understand the scope of the claim language. In light of the above amendments and remarks, reconsideration and withdrawal of the outstanding rejections is specifically requested. If the Examiner has any questions which may be answered by telephone, he is invited to call the undersigned directly.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Please amend Claims 1, 5, 7, and 8 as follows:

1. (Amended) In a personal computer, a method of storing data on one or more magnetic or optical data storage media in an encrypted form comprising:

retrieving an identification code from a ~~non-volatile non-erasable memory~~^{ROM} location in said personal computer;

generating a cryptographic key derived at least in part from said identification code;

encrypting data for storage on one of said data storage media using said cryptographic key.

5. (Amended) A method of making a computer comprising:

storing a hardware identifier in a ~~non-volatile non-erasable~~ memory integrated circuit;

installing said memory integrated circuit into said computer;

providing a data path to data storage media;

coupling a logic circuit comprising an encryption engine to said data path; and

connecting said memory integrated circuit to said logic circuit.

7. (Amended) In a computer system comprising host computing logic and at least one data storage device, a method of data storage comprising encrypting user generated data with an encryption process, wherein said encryption process is defined at least in part with information assigned to and associated with said host computing logic, wherein said information is stored in a non-erasable memory in said computer system.

8. (Amended) The method of Claim 7, wherein said information is ~~substantially~~ permanently associated with said host computing logic.